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Attorney for Debtor

**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

In re:

MARILYN S SIMEON

, debtor

Case No. 17-42989  
Chapter 13

Date : July 20, 2018  
Time: 1:30 p.m.  
Place: Courtroom 201  
1300 Clay Street, 2nd Floor  
Oakland, CA 94612

Hon. Roger L. Efremsky

MOTION FOR ORDER EXTENDING TIME TO COMPLETE  
THE MORTGAGE MODIFICATION MEDIATION PROGRAM

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

MARILYN S SIMEON, the debtor and petitioner herein, hereby moves this Court for an Order Extending Time to Complete the Mortgage Modification Mediation Program. In support of this Motion, the Debtor respectfully represents:

1. The Petitioner is the Debtor in the above-captioned Chapter 13 bankruptcy case, having filed a petition for relief on November 30, 2017. Martha Bronitsky has been duly appointed to serve as the Chapter 13 Trustee in this case.
2. The Case was referred to the Mortgage Modification Mediation Program ("MMM") on 12/14/17.

- 1 3. Over the next 5 months, Debtor promptly provided all documentation requested by  
2 lender Specialized Loan Servicing ("SLS") for the evaluation of a loan modification.  
3 The DMM portal shows complete and extensive communication between Debtor and  
4 Creditor.
- 5 4. The Order referring the case to the MMM expired on 5/14/18.
- 6 5. Upon inquiry from Debtor, Creditor responded on 05/04/18 that "A decision has not  
7 been made yet this time and no additional documents are being requested". Exhibit A  
8 shows a copy of the DMM communication.
- 9 6. Debtor prepared a Stipulation to Extend Time to complete the MMM on 5/21/18 and  
10 forwarded it to SLS. SLS responded on 5/22/18 that a signed Stipulation would be  
11 forwarded upon receipt (Exhibit B – email and response), however no such Stipulation  
12 has been received as of 6/18/18. SLS instructed Debtor to "Please proceed with  
13 extending the loss mitigation period."
- 14 7. SLS sent an email on 6/5/18, stating "The documents are uploaded for review" (Exhibit  
15 C). As of 6/18/18, the completed package is still under review. Debtor's Declaration  
16 is filed concurrently with this Motion and is incorporated herein by reference.

17 **RESTATEMENT**

18 WHEREFORE, the Debtor requests the Court to grant this Motion for an Order Extending  
19 Time to complete the Mortgage Modification Mediation Program until August 31, 2018.

20 **CERTIFICATION**

21 I, Eric J. Gravel, hereby certify that I have read the foregoing Application for an Order  
22 Extending Time to complete the Mortgage Modification Mediation Program. I further  
23 certify that the contents thereof are true and correct to the best of my knowledge and  
24 belief. Executed at Oakland, CA on June 18, 2018.

25 /s/ Eric J. Gravel  
26 Eric J. Gravel  
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**EXHIBIT A**

**Currently Viewing:**

Borrower Name: Simeon, Marilyn  
 Property Address: 3541 Miller Court Union City, CA 94587  
 Servicer Name: Specialized Loan Servicing, LLC  
 Loan Number: 1053

Date	Activity By	Action Taken
05/04/2018 02:09:51 PM ET	Servicer	Message Sent
<b>From:</b> Katina Hurst (Servicer) <b>Subject:</b> RE: Updated Award Letter <b>Message:</b> A decision has not been made at this time and no additional documents are being requested.  Thank you		

*above sent in reply to:*

Date	Activity By	Action Taken
05/04/2018 12:28:19 PM ET	Attorney	Message Sent
<b>From:</b> Ana Marie Dela Pena (Borrower Attorney) <b>Subject:</b> RE: Updated Award Letter <b>Message:</b> Hello,  Any update please?  Thank you.		

*above sent in reply to:*

Date	Activity By	Action Taken
04/12/2018 11:17:03 AM ET	Servicer	Message Sent

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**EXHIBIT B**

**Currently Viewing:**

Borrower Name: Simeon, Marilyn

Property Address: 3541 Miller Court Union City, CA 94587

Servicer Name: Specialized Loan Servicing, LLC

Loan Number 1053

Date	Activity By	Action Taken
05/22/2018 04:06:25 PM ET	Servicer	Message Sent
<b>From:</b> Katina Hurst (Servicer) <b>Subject:</b> RE: Updated Award Letter <b>Message:</b> I will forward to you upon receipt.  Thank you		

*above sent in reply to:*

Date	Activity By	Action Taken
05/22/2018 04:01:16 PM ET	Attorney	Message Sent
<b>From:</b> Eric Gravel (Borrower Attorney) <b>Subject:</b> RE: Updated Award Letter <b>Message:</b> I need someone from SLS to sign the Stipulation.		

*above sent in reply to:*

Date	Activity By	Action Taken
05/22/2018 03:44:59 PM ET	Servicer	Message Sent

**Date****Activity By****Action Taken****From:** Katina Hurst (Servicer)**Subject:** RE: Updated Award Letter**Message:**

Please proceed with extending the loss mitigation period.

Thank you

*above sent in reply to:***Date****Activity By****Action Taken**

05/21/2018 06:04:54 PM ET

Attorney

Message Sent

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**EXHIBIT C**



**Currently Viewing:**

Borrower Name: Simeon, Marilyn  
Property Address: 3541 Miller Court Union City, CA 94587  
Servicer Name: Specialized Loan Servicing, LLC  
Loan Number 1053

Date	Activity By	Action Taken
06/05/2018 10:37:39 AM ET	Servicer	Message Sent
<b>From:</b> Katina Hurst (Servicer) <b>Subject:</b> RE: File Resubmitted <b>Message:</b> Hello,  The documents are uploaded for review.  Thank you		

*above sent in reply to:*

Date	Activity By	Action Taken
06/04/2018 01:09:37 PM ET	Attorney	File Resubmitted
Ana Marie Dela Pena resubmitted file for review: <b>Reason:</b> Completed Package <b>Message:</b> Requested Documents <b>Attached Files:</b> Simeon (Loan #1008131053) - Requested Documents (Added 06-04-2018)		